

SECOND SUPPLEMENT to the *Maryland* GAZETTE, of the Week before last. 137

Annapolis, October 24, 1765.

September 9, 1765.

A Copy of the REMONSTRANCE of the Freholders and Freemen of Anne-Arundel County, to Messrs Worthington, Hammond, Hall, and Johnson, their Representatives in Assembly; accompanied with some Instructions to them.

GENTLEMEN,

THE Shock received by AMERICA, and our Province in particular, from some late unconstitutional Measures, pursued by the British Parliament, in Derogation, as we conceive, of our ancient inherent Rights and Privileges, as Freemen and liege Subjects of the Crown of Great-Britain, requires us to be exceedingly circumspect with Regard to our LIBERTIES, and early to remonstrate to you Our Representatives in Assembly convened, in Support of our RIGHTS thereto; giving you at the same Time, some few Instructions, which we entreat you will specially attend to, and punctually observe.

By the unalterable Law of Nature, we look upon ourselves to be Freemen: Providence seemingly averse to the Miseries of Slavery, hath placed us in the happy Estate of Freedom: And we are conscious to ourselves, that we have in no wise forfeited, or departed with our natural Right thereto. By the Common Law of Great-Britain, the Law of our Land, and declaratory in this Respect of the Law of Nature, and consequently of the Liberty of the Subject, we look upon ourselves also to be FREEMEN: Equally Free, with our Fellow-Subjects, resident within the Realm of Great-Britain: And we trust we shall be esteemed so, by our Sovereign and the World, until it can be rationally shewn, that mere Inhabitation in America, or any where else, within the Dominions of the Crown of Great-Britain, but without the Land thereof, is sufficient of itself to strip an ENGLISHMAN or his POSTERITY of their natural and civil BIRTHRIGHT, we mean, their FREEDOM: On this Freedom of the Subject asserted by us, dependeth, in our Opinions, the Necessity of his Assenting by himself, or his Representatives, to Laws, in order to his being bound thereby; and from such Assent, ariseth, as we take it, the Obligation of all human Laws. How then in Point of NATURAL or CIVIL LAW, are we rightly chargeable, or liable to be burdened, by the STAMP-ACT, attempted to be imposed upon us by the Mother-Country? Have we assented to it personally or representatively? If we have not, which is notorious to the World, the MINISTER's virtual Representation, adduced argumentatively, in Support of the TAX on us, is fantastical and frivolous. Can the Parliament by the Fiction of a virtual Representation impose one Law on us, without our Assent; they may also another; and so on, ad infinitum: We cannot see where the Line is to be drawn: And each new Law so imposed on us, may pave the Way to some new Tax; each new Tax, to some new Oppression;—Oppression (unresisted) leads in a direct and open Path to Bondage; and that to the immediate Privation, and utter Destruction of Liberty,—of Property,—and of all, that is dear to us: The Inconveniences therefore, arising on the Supposition of the Parliament having any such Power, as that of laying Taxes on us, without our Assent, vested in it; is in our

Opinion, no very inconclusive Argument to the Being and Existence of such a Power, in the Legislature of any State whatsoever, much more of that of Great-Britain, which glories in the FREEDOM of its SUBJECTS.

By the Constitutional Laws of our Mother-Country, the Birthright of every English Subject, and consequently of us Americans, liege Subjects also of the Crown; It is Ordained and Enacted, "That no Aid, Prize, Tax, Tollage, &c. shall be taken or levied without the Good-Will, and Assent of the Freemen of the Land."—And by the CHARTER of our PROVINCE, it is Expressly granted, "That the King, his Heirs and Successors, shall at no Time hereafter, set or make, or cause to be set, any Imposition, Custom, or other Taxation, Rate or Contribution whatsoever, in or upon the Dwellers and Inhabitants of the aforesaid Province, for their Lands, Tenements, Goods or Chattels, within the said Province, or to be laden and unladen within any the Ports or Harbours of the said Province: And it is charged and commanded, that the above Declaration be henceforward, from Time to Time, received and allowed in all his Courts, and before all the Judges of the King, his Heirs and Successors, for a sufficient and lawful Discharge, Payment and Acquittance. And all Officers and Ministers of the King, his Heirs and Successors, are Enjoined, upon Pain of High Displeasure of the Crown, that they do not presume, at any Time, to attempt any Thing to the contrary of the Premises, or that they do in any Sort withstand the same; but that they be at all Times aiding and assisting, as is fitting, unto the Proprietor of our Province, &c. and to the Inhabitants, and Merchants thereof, their Servants, Ministers, Factors and Assigns, in the full Use and Fruition of the Benefit of this the Charter."

And by another Paragraph in the same Charter, the Privilege of Legislation is expressly confined to the Proprietor, and the Freemen of our Province. The Words of it are as follow: "And we do grant, free, full and absolute Power, unto the Proprietor and his Heirs, for the good and happy Government of the said Province, to ordain, make, enact, and under his and their Seals, to publish any Laws whatsoever, appertaining either unto the public State of the said Province, or unto the private Utility of particular Persons, according unto their best Directions, of and with the Advice, Assent, and Approbation of the FREEMEN of the said Province, or the greater Part of them, or of their Delegates or Deputies, whom for the Enacting of the said Laws, when, and as often as Need shall require, we will, that the Proprietor, and his Heirs, shall assemble in such Sort and Form, as to him or them shall seem best, &c."

Hence the Foundation of our Claim to be affected by no Law, or burdened with any Kind of Tax, but what is laid on us by Assent of our Representatives, in Assembly convened, agreeable with the Fundamental Laws of the Constitution of our Mother-Country;—our Rights and Privileges as Englishmen, declared and confirmed by our Charter;—and the uninterrupted Usages and Practice of our Province, from its first Settlement to the present Time. And

we do unanimously Protest, against our being charged in any other Manner, and by any other Powers whatsoever: And we do request of you our Representatives, that this our Protest may be entered, and stand recorded, in your Journal, among the Proceedings of your House; if it may regularly be done.

As Subjects of the Crown of Great-Britain, bearing all of us, true and faithful Allegiance to our Sovereign; we supplicate his most gracious Protection: And as we conceive ourselves to stand in equal Relation to him, with our Fellow-Subjects, residing within the Realm of Great-Britain, altho' we are so far distant therefrom; we therefore humbly hope, an equal Share of his Countenance and Favour with them: We most submissively pray of him also, the Redress of our Grievances, which are numerous and great, and in particular, the Repeal, or even the Suspension of the Operation of the Stamp-ACT among us, until the Legality of imposing the same on the COLONIES, be fairly discussed between his American, and British Subjects.

And to the End that we may have your best and most effectual Services rendered us, in all and singular the Premises, whereon we have largely remonstrated to you; and may also hope to obtain speedy and suitable Redress of our Grievances, from the Crown, with the Repeal, or even the Suspension of the Operation of the Stamp-ACT among us; WE ENJOIN and REQUIRE You, to use your earnest Endeavours;

I. That our Essential Inherent Rights, and Constitutional Privileges, derived to us, as British Subjects, from the clear Fountain of the British Laws—declared and confirmed to us by our Charter—and the Usages and Customs of our Province, be clearly and distinctly Expressed and Asserted by You in General Assembly; and in proper Style and Mode (which we submit to the Judgment and Discretion of your Honourable House,) be entered also on your Journal, among your RESOLVES.

II. That a Committee be appointed early in the Session by your House, and furnished with due Instructions, to attend at the Congress to be held at New-York, the first Day of next Month, there to meet the Commissioners from the other Provinces on the Continent, agreeable with the Proposal in the Massachusetts Circular Letter, in order to confer on the Circumstances of our Country, and join in an humble and dutiful Petition to his Majesty, for Relief from the Stamp-ACT, with its numerous Train of complicated Evils; and for Redress of all other of our Grievances.

III. We recommend it to you, (as in Gratitude we are bound) to move in your House for a proper Address of Thanks to be presented to General CONWAY, and Colonel ISAAC BARRE, those worthy Patriots, and distinguished Assertors of British and American Liberty.

Other Matters unconnected with the above, and which may happen to fall under your Considerations, in the Course of the Session of Assembly; we leave totally to your Skill and Management; and doubt not but you will acquit yourselves of the Trusts reposed in you, with the usual Satisfaction to yourselves, your Country, and Us your Constituents.